

MOTION BY SUPERVISOR MICHAEL D. ANTONOVICH

NOVEMBER 12, 2003

The State of California in Government Code Section 19775.18 makes no distinction between “voluntary and involuntary” call to active duty. It states that a State employee shall be entitled to their difference in pay between their State salary and military pay “when called to active duty” for service during the War on Terrorism.

In addition, the County did not make the distinction as well for the Gulf War in 1991. Ordinance 6.20.080(H) (Iraq-Kuwait Crisis) simply stated the County employee when “called to active duty” shall be entitled to regular pay offset by military pay.

Currently, Los Angeles County Ordinance 6.20.080(K) Worldwide Terrorist Crisis provides that an employee “involuntarily called” to active duty shall be entitled to his/her regular pay offset by the military pay for such duty.

This has created confusion for County citizen-soldiers with certain military specialties who, when asked by the Army if they are available for duty to back-up their active counterparts, have difficulty answering yes, if it means jeopardizing his/her financial situation.

- M O R E -

MOTION

MOLINA	_____
YAROSLAVSKY	_____
KNABE	_____
ANTONOVICH	_____
BURKE	_____

I, THEREFORE, MOVE that County Counsel be directed to prepare an amendment to Los Angeles County Ordinance 6.20.080(K) as follows:

K. ~~Worldwide Terrorist Crisis~~ War on Terrorism

1. Subject to the provisions of subsection K2 of this section, any employee who, as a member of the California National Guard or a United States Military reserve organization, is ~~involuntarily~~ called into active duty as a result of the War on Terrorism and is allowed military leave, shall be entitled to receive, for a period not to exceed 720 days, his/her regular pay offset by the military pay received for such duty. If such employee is entitled to receive benefits pursuant to Section 395.01 or 395.02 of the Military and Veteran's Code, the provision of this section shall be in addition to and shall follow the termination of those benefits.

2. Any individual who receives compensation pursuant to subsection K1 of this section who does not return to County service within 60 days of being released from active duty, unless said individual is unable to return due to disability, shall have that compensation deemed a loan payable with interest at the rate not to exceed 50 basis points higher than that earned by the County Treasury Pool as of the quarter repayment begins.

3. The provisions of this subsection shall not apply to any active duty served voluntarily after the close of the War on Terrorism. (Ord. 6222 Ch. 1 Art. 11 § 240, 1953.)

#

MDA:jcc